


# REPORT

**DATE:** September 14, 2006

**TO:** Regional Council and Administrative Committee

**FROM:** Bob Huddy, Transportation Program Manager, 213-236-1972, [huddy@scag.ca.gov](mailto:huddy@scag.ca.gov)

**SUBJECT:** Resolution to recommend conferring designated recipient status to VCTC, LACMTA, and OCTA for Large Urbanized Areas (UZA's) for the JARC/New Freedoms Programs (49 USC 5316 and 5317)

**EXECUTIVE DIRECTOR'S APPROVAL:** 

## RECOMMENDED ACTION:

Approve attached resolution.

## SUMMARY:

Recommend approval of the attached resolution 06-478 to concur in the designation of the following recipients to receive and dispense Federal Transit Administration (FTA) funds under 49 U.S.C. Sections 5316 and 5317 (Job Access Reverse Commute and New Freedom programs) for the respective Urbanized Areas, or portions thereof:

- (1) Ventura County Transportation Commission as the designated recipient for the Oxnard and Thousand Oaks urbanized areas,
- (2) Los Angeles County Metropolitan Transportation Authority as the designated recipient for the Los Angeles County portion of the Los Angeles-Long Beach-Santa Ana, and the Lancaster-Palmdale urbanized areas, and
- (3) Orange County Transportation Agency as the designated recipient for the Orange County portion of the Los Angeles-Long Beach-Santa Ana, and the Mission Viejo urbanized areas.

SCAG also requests that the Governor designate the recipients described above, and forward his designations to the FTA offices for approval.

## BACKGROUND:

Under SAFETEA-LU Congress has established two new programs: Job Access Reverse Commute (JARC) and New Freedom programs. These programs provide funding for the purpose of implementing new public transportation services and alternatives beyond what is required by ADA (New Freedom) and generally supports job access projects to transport welfare recipients and low income individuals to and from work on non-peak hours and supply reverse commute options (JARC). Both programs require the designated recipient to create a "Coordinated Human Services Transportation Plan" that identifies service areas of redundancy and duplication to better coordinate and prioritize related projects, create a competitive project selection process with input from all relevant stakeholders in the community, and finally to create long and

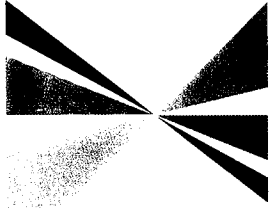
# REPORT

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short term project management criteria. VCTC, LACMTA and OCTA have formally requested to be designated as the recipient of such funds (see attached letters). SCAG staff, after careful review and working closely with the CTCs and Caltrans, is recommending that SCAG concur with the requests by VCTC, LACMTA, and OCTA to be made the designated recipients of these funds.

## **FISCAL IMPACT:**

No impact to the current budget at present.



**ASSOCIATION of  
GOVERNMENTS**

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**Ventura County:** Judy Mikels, Ventura County • Glen Becerra, Simi Valley • Carl Morehouse, San Buenaventura • Toni Young, Port Hueneme

**Orange County Transportation Authority:** Lou Correa, County of Orange

**Riverside County Transportation Commission:** Robin Lowe, Hemet

**Ventura County Transportation Commission:** Keith Millhouse, Moorpark

**Resolution No. 06-478**

**RESOLUTION OF CONCURRENCE IDENTIFYING THE VENTURA COUNTY TRANSPORTATION COMMISSION, LOS ANGELES COUNTY TRANSPORTATION COMMISSION, AND ORANGE COUNTY TRANSPORTATION COMMISSION AS THE DESIGNATED RECIPIENTS OF JOB ACCESS REVERSE COMMUTE AND NEW FREEDOM PROGRAM FORMULA FUNDS FOR SPECIFIED LARGE URBANIZED AREAS**

**WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Pub. L. 109-059) has established two formula programs administered by the Federal Transit Administration (FTA) under 49 U.S.C. Section 5316, Job Access Reverse Commute (JARC) Program, and 49 U.S.C. Section 5317, New Freedom Program for large urbanized areas with a population of 200,000 or more individuals;**

**WHEREAS, these programs provide funding for the purpose of implementing new public transportation services and alternatives beyond ADA (New Freedom) and generally support job access projects to transport welfare recipients and low income individuals to and from work on non-peak hours and supply reverse commute options (JARC);**

**WHEREAS, the local County Transportation Commission boards concur and have requested in writing that within their respective jurisdictions, they should be the designated recipients for Oxnard and Thousand Oaks, Los Angeles-Long Beach-Santa Ana, Lancaster-Palmdale, and the Mission Viejo large urbanized areas of funds allocated under the JARC and New Freedom Programs; and**

**NOW, THEREFORE, BE IT RESOLVED that the Regional Council of the Southern California Association of Governments:**

**1. Concurs in the designation of the following recipients to receive and dispense federal funds for the respective large urbanized areas identified, or portions thereof, for purposes of administering the JARC and New Freedom Programs:**

- (a) Ventura County Transportation Commission as the designated recipient for the Oxnard and Thousand Oaks urbanized areas, and**
- (b) Los Angeles County Metropolitan Transportation Authority as the designated recipient for the Los Angeles County portion of the Los**

Angeles-Long Beach-Santa Ana, and the Lancaster-Palmdale urbanized areas, and

(c)Orange County Transportation Agency as the designated recipient for the Orange County portion of the Los Angeles-Long Beach-Santa Ana, and the Mission Viejo urbanized areas;

2. Requests that the Governor of the State of California designate the recipients as described above; and

3. Requests that the Governor forward his designation of the above recipients to the FTA offices for approval.

Adopted by the Regional Council of the Southern California Association of Governments at a regular meeting on this 14th day of September 2006.

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YVONNE B. BURKE  
President, SCAG  
Supervisor, County of Los Angeles

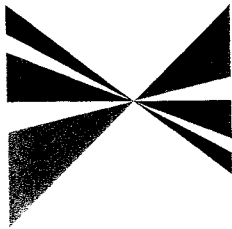
Attest: \_\_\_\_\_  
Mark Pisano  
Executive Director

Approved as to Legal Form:

---

Karen Tachiki  
Legal Counsel

DOC #77745


**ASSOCIATION of  
GOVERNMENTS**
**Main Office**

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**Orange County Transportation Authority:** Lou Correa, County of Orange

**Riverside County Transportation Commission:** Robin Lowe, Hemet

**Ventura County Transportation Commission:** Keith Millhouse, Moorpark

June 29, 2006

Ms. Kimberly A. Gayle, Chief  
Office of State and Federal Grants  
Department of Transportation  
Division of Mass Transportation  
P.O. Box 942874  
Sacramento, CA 94274-0001

RE: Letter of Concurrence

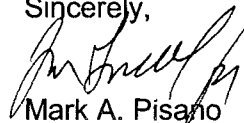
Dear Ms. Gayle:

The staff of The Southern California Association of Governments (SCAG), as the Metropolitan Planning Organization for the SCAG region, concurs with recommendation that the official designation of the following entities for purposes of administering the new Job Access Reverse Commute (Section 5316) and New Freedom (Section 5317) grant programs for the specified large urbanized areas, consistent with 49 U.S.C. 5307(a)(2):

Designated Recipient/ County Transportation Commission (CTC)	Large Urbanized Area (UZA)
Ventura County Transportation Commission (VCTC)	Oxnard and Thousand Oaks
Los Angeles County Metropolitan Transportation Authority (LACMTA)	L.A. County portion of the: Los Angeles-Long Beach-Santa Ana and Lancaster-Palmdale
Orange County Transportation Authority (OCTA)	Orange County portion of the: Los Angeles-Long Beach-Santa Ana and Mission Viejo

SCAG intends to take such a recommendation to the Regional Council for official action to this effect at their September 2006 meeting. Should you require additional information, please contact Robert Huddy, Senior Transportation Planner, at (213) 236-1972.

Sincerely,

  
Mark A. Pisano  
Executive Director

cc: Ginger Gherardi, Vic Kamhi, VCTC  
cc: Roger Snoble, Gladys Lowe, David Sikes, LACMTA  
cc: Arthur Leahy, Bill Dineen, Ric Teano, OCTA

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Ex-Officio Member

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Arthur T. Leahy  
Chief Executive Officer



June 28, 2006

Mr. Mark Pisano  
Executive Director  
Southern California Association of Governments  
818 West 7th Street, 12th Floor  
Los Angeles, California 90017

Dear Mr. <sup>mark</sup>Pisano,

On behalf of the Orange County Transportation Authority, (OCTA) I am writing to request that OCTA serve as the Designated Recipient for the 49 U.S.C. Section 5316 Job Access and Reverse Commute (JARC) and 49 U.S.C. Section 5317 New Freedom Program funds for urbanized areas over 200,000.

For purposes of administering the program, it would be more efficient for OCTA to administer the JARC and New Freedoms federal formula funds for Orange County. For this to be possible, we are seeking to become a Designated Recipient for the federal formula funding, as determined by the Governor through the State of California Department of Transportation (Caltrans). As the Southern California Association of Governments (SCAG) currently serves as the Designated Recipient for Federal Transit Authority (FTA) Urbanized Area formula funds for the region, OCTA would appreciate SCAG's concurrence for OCTA to be the Designated Recipient for the competitive allocation of JARC and New Freedom's formula funds in Orange County.

Thank you for your assistance with this request. If you have any questions, please contact Bill Dineen in our Finance Department at (714) 560-5917.

Sincerely,

*Art*

Arthur T. Leahy  
Chief Executive Officer

c: Kimberly A. Gayle, Office Chief, Caltrans  
Robert Huddy, Transportation Program Manager, SCAG



# Metro

May 30, 2006

Kimberly A. Gayle  
Office Chief  
State of California  
Department of Transportation  
Division of Mass Transportation, MS 39  
1120 N Street, Room 3300  
Sacramento, CA 94274-0001

**METRO AS DESIGNATED RECIPIENT FOR URBANIZED AREAS IN  
LOS ANGELES COUNTY FOR FTA SECTIONS 5316 AND 5317 FORMULA  
FUND PROGRAMS**

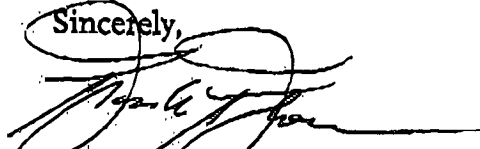
Dear Ms. Gayle:

We were recently notified by staff of the Southern California Association of Governments (SCAG) that your office needed information by May 31, 2006 as to the Designated Recipient for the Section 5316 Job Access and Reverse Commute (JARC) and Section 5317 New Freedom Programs funds for urbanized areas over 200,000. Please be informed that the Los Angeles County Metropolitan Transportation Authority (Metro) intends to be the Designated Recipient for formula funding under JARC and New Freedom Programs for urbanized areas over 200,000 (as well as Santa Clarita) in Los Angeles County. In support of this designation, we are enclosing the following documents:

- A resolution of the Board of Directors of Metro approving Metro as the Designated Recipient for formula funding under JARC and New Freedom Programs (Enclosure 1), and
- An opinion from Legal Counsel certifying Metro's legal capacity to perform this function (Enclosure 2).

We are currently working with SCAG on developing a letter supporting Metro's designation to perform this function. If you require additional information or clarification regarding this matter, please contact either Gladys Lowe at (213) 922-2459 or David Sikes at (213) 922-2552. Thank you.

Sincerely,



FRANK FLORES  
Deputy Executive Officer

Enclosures (2)

Cc: Robert Huddy, SCAG  
Nicole Longoria, Caltrans



**RESOLUTION APPROVING THAT THE  
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (METRO)  
BE IDENTIFIED AS THE DESIGNATED RECIPIENT FOR FEDERAL TRANSIT  
ADMINISTRATION (FTA) FORMULA FUNDING UNDER JOB ACCESS AND REVERSE  
COMMUTE (JARC) AND NEW FREEDOM PROGRAMS**

**WHEREAS**, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), portions of which propose to improve transportation services for persons with disabilities, older Americans, and individuals with lower incomes, was signed into law in 2005; and

**WHEREAS**, SAFETEA-LU includes FTA Sections 5316/JARC and 5317/New Freedom Formula Programs that provide federal formula funding; and

**WHEREAS**, Caltrans, on behalf of the Governor, approves Designated Recipients for the purposes of receiving and dispensing FTA formula funding from Sections 5316/JARC and 5317/New Freedom Programs for urbanized areas over 200,000 in California; and

**WHEREAS**, federal regulations require that a statewide or regional agency responsible under state law for financing, construction, or operating directly, by lease, contract, or otherwise of public transit services be named as the Designated Recipient for the purposes of receiving and dispensing FTA Sections 5316/JARC and 5317/New Freedom formula funds in accordance with the provisions of 49 U.S.C. 5303-5306; and

**WHEREAS**, Metro has the legal capacity to receive and dispense federal funds for public transit purposes; submit public transit projects for inclusion in the Transportation Improvement Program; submit project applications to the FTA; enter into formal project agreements with the FTA; and hold and certify public hearings; and

**WHEREAS**, by naming Metro as the Designated Recipient for FTA Sections 5316/JARC and 5317/New Freedom formula funds for areas of Los Angeles County, it would foster an effective planning process that ensures connectivity between modes, reduces access disadvantages experienced by modal systems, and promotes efficient overall transportation



investment strategies for the disabled and disadvantaged residing in the Los Angeles County region.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Los Angeles County Metropolitan Transportation Authority that:

1. The Board of Directors approves Metro to be declared the Designated Recipient for formula funding from FTA Sections 5316/JARC and 5317/New Freedom Programs.
2. The Chief Executive Officer or the Chief Executive Officer's Designee is authorized to select projects, program funding, and file and execute FTA grant applications, agreements and contracts on behalf of Metro to fulfill the responsibilities of Designated Recipient, hereunder.

**CERTIFICATION**

The undersigned, duly qualified and acting as the Board Secretary of the Los Angeles County Metropolitan Transportation Authority, certifies that the foregoing is a true and correct representation of the Resolution adopted at a legally convened meeting of the Board of Directors of the Los Angeles County Metropolitan Transportation Authority held on Thursday, May 25, 2006.



**MICHELE JACKSON**  
Metro Board Secretary

**DATED:**

**(SEAL)**

[SC UZA RESOLUTION]



**COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY COUNSEL**

**TRANSPORTATION DIVISION**

**ONE GATEWAY PLAZA**

**LOS ANGELES, CALIFORNIA 90012-2952**

**Enclosure 2**

**RAYMOND G. FORTNER, JR.  
County Counsel**

**February 7, 2006**

**TELEPHONE**

**(213) 922-2502**

**FACSIMILE**

**(213) 922-2531**

**TDD**

**(213) 633-0901**

**E-MAIL**

**Changj@mta.net**

**Ms. Lakeda Johnson  
Division of Mass Transportation  
Department of Transportation  
1120 N. Street, Rm. 3300  
Sacramento, CA 95814**

**Re: Los Angeles County Metropolitan Transportation Authority's  
Legal Capacity to Perform Functions of a Designated Recipient**

**Dear Ms. Johnson:**

**The Office of the County Counsel is General Counsel to the Los Angeles County Metropolitan Transportation Authority ("Metro"). In that capacity, I certify that Metro is a duly constituted public body pursuant to California Public Utilities Code § 130050.2, et seq.**

**It is my opinion that Metro has the legal capacity to perform all of the following acts and responsibilities required of a Designated Recipient by 49 U.S.C. §5307, as follows:**

- 1. to receive and dispense Federal Funds for public transit purposes;**
- 2. to submit public transit projects to be included in the Transportation Improvement Program through a Metropolitan Planning Organization;**
- 3. to submit project applications to the United States Department Transportation, Federal Transit Administration ("USDOT/FTA");**
- 4. to enter into formal project agreements with USDAOT/FTA; and**

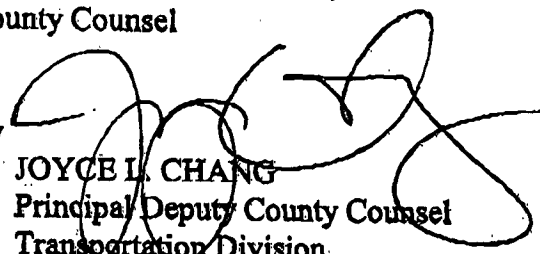
Ms. Lakeda Johnson  
February 7, 2006  
Page 2

5. to hold and certify that public hearings have been held.

Very truly yours,

RAYMOND G. FORTNER, JR.  
County Counsel

By

  
JOYCE L. CHANG  
Principal Deputy County Counsel  
Transportation Division

JLC:rwv

c: Steven Henley

HOA.347650.1



## VENTURA COUNTY TRANSPORTATION COMMISSION

950 County Square Dr., Suite 207 Ventura, California 93003 (805) 642-1591 fax (805) 642-4860

March 7, 2006

Ms. Kimberly A. Gayle  
Office Chief, State and Federal Grants  
Department of Transportation  
Division of Mass Transportation MS 39  
P.O. Box 942874  
Sacramento, CA 94274-0001

**RE: Designated Recipient Status for Jobs Access Reverse Commute (JARC) and  
New Freedoms Initiative (NFI)**

Dear Ms. Gayle:

Our staff has been informed by FTA that it is necessary for the State to make new Designated Recipient designations for the new formula-based JARC and NFI programs. Since VCTC currently serves as Designated Recipient for the Oxnard/Ventura, Thousand Oaks/Moorpark, Simi Valley, and Camarillo Urbanized Areas for purposes of Section 5307 Urbanized Area Formula funding, we request that Caltrans also name VCTC as the Designated Recipient for these four areas for JARC and NFI. Attached is the Legal Counsel letter stating VCTC's qualification to serve in this capacity.

VCTC looks forward to Caltrans' favorable review of this request. Should you or your staff have any questions they should contact Peter De Haan of my staff at (805) 642-1951, extension 106, or [pdehaan@goventura.org](mailto:pdehaan@goventura.org).

Sincerely,

Ginger Gherardi  
Executive Director

cc. Rosemary Ayala, SCAG



April 18, 2003

Deborah A. Mah,  
Chief, Division of Mass Transportation  
Department of Transportation  
P. O. Box 942874  
Sacramento, CA 94274-0001

Re: Ventura County Transportation Commission's Legal Capacity to Perform  
Functions of a Designated Recipient

Dear Ms. Mah,

The undersigned is General Counsel to the Ventura County Transportation Commission ("VCTC"). In that capacity, I certify that VCTC is a duly constituted public body pursuant to Public Utilities Code § 130000, *et seq.*

It is my opinion that VCTC has the legal capacity to perform all of the following acts and responsibilities required of a Designated Recipient by 49 U.S.C. §5307, as follows:

1. to receive and dispense Federal funds for public transit purposes;
2. to submit public transit projects to be included in the Transportation Improvement Program through a Metropolitan Planning Organization;
3. to submit project applications to the United States Department of Transportation, Federal Transit Administration ("USDOT/FTA");
4. to enter into formal project agreements with USDAOT/FTA; and
5. to hold and certify that public hearings have been held.

Very truly yours,

Mary Redus Gayle, General Counsel, VCTC

cc Peter DeHaan, Director, Transportation Programming, VCTC

You may contact Mary Redus Gayle directly at: TELEPHONE: 805-482-3531 - FAX: 805-484-8291 - E-MAIL: MR0739@aol.com  
1897 Bronson Street, Camarillo, CA 93010-4575